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In the US District Court for the State of Oregon

Benjamin Jay Barber

V.

Case No. 3:22-cv-00134-MO

Unitus Community Credit Union,
Rebecca Rich, in her official capacity

Newly Discovered Evidence

as branch manager for Unitus
Unknown John Doe, in his official capacity as
bank teller for Unitus

On 11/2/2022 - 11/4/2022 Unitus CEO Steven Stapp and Inlcusiv CEO Cathie Mahon attended the National Credit Union Association "DEI and ACCESS Summit 2022", where ACCESS stands for "NCUA's initiative for Advancing Communities through Credit, Education, Stability and Support." This program provided funds to the member credit unions through the Community Development Revolving Loan Fund (CDRLF), and through the CDFI Community Development Financial Institution program. In this three day long session, strategies for discriminating based on race were discussed, such as how to justify disregarding debt to income ratios, but only for only hispanic and african american borrowers.

During this conference, Steven Stapp describes how Unitus was too white, and so instead he engaged in a course of racial balancing, starting with intentional discrimination in the board, and working with organizations but only if they are not white organizations, and how targeting non white communities became their primary performance metric.

During this conference, Cathay Mahon, describes their business in assisting other credit unions, by using data analytics to target specific populations of people based on their racial groups, having products that are exclusively for those groups, and how some people will get pushed out of services. She describes that the CDFI funds have a 60 percent threshold that they have to meet to qualify, and that therefore they use the CDFI metrics to target customers.

Unitus CEO Steven Stapp

Video:

<https://www.youtube.com/watch?v=D6ZdpoNSUT4>

Transcript:

<https://pastebin.com/pfpqUye3>

Excerpt:

I arrived at Unitus in Portland Oregon again very similar kind of on all white organization weren't so serving members of our community and I said hold on our community looks different than what we look like and so we began our journey a very supportive board same thing we have seven board members but very intentional about how we how we structure the board they've been very supportive as we've transitioned to now really serving our community different different populations working with the Hispanic Community a unique partnership with the Urban League of Portland and and four other credit unions so really a transition of a of a collaborative model

...

yeah we still have a financial component that we do need that Foundation but we now look at we look at our community and how we're serving our community how we're serving diverse populations within our community now that becomes more our that becomes our metric and our our scorecard

Inclusiv CEO Cathy Mahon

Video:

<https://www.youtube.com/watch?v=LLJOXm9yNXY>

Transcript:

<https://pastebin.com/zDcMz0ku>

Excerpt:

"then figure out how we go about measuring how can a credit union see serve find people and communities that we most want to be serving and how can a credit union assess how well we're doing on inclusivity and exclusivity of the products and services that we're offering right where are we setting the bar how are we setting up our products and how well are they engaging people and bring them in and how problematic can they be in some cases in push making people feel like they're being pushed out there's a few ways that we've structured it and it has to do with a very large funder and investor in the field the cdfi fund.

...

so when I think about examples of credit unions doing a really good job with their data analytics um I think about the cdfi certification process and we do um 100 we do the certification annual certification reports for hundreds of credit unions um and I would say that over the over the course of that process and that is basically where the credit unions pull their Loan Data their loan files they share that with us and we can help them kind of do the analysis of where they're lending in vis-a-vis their market area and it helps them get a sense of are they meeting that 60 threshold so that's helpful for getting a reporting check the box get that done but most Credit Unions that we've been working that we work with will then take that data and those you know that sort of report back and say how can we do better where should we grow where where are the new opportunities right so taking that information where you've mapped out your lending patterns and you've looked at the community and then you can cross tab it across needs in the community and you can really get a much more clear sense of where those windows of opportunities are Terry Radigan calls them you know that the cdfi the target market opportunities right where's your target market opportunity and what's your target market response to those opportunities communities"

Date 11/29/2022

/s/



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Unitus Community Credit Union,

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Certificate of Service

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On November 29th the plaintiff sent a copy of this newly discovered evidence to the defendant by US mail first Class



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